



Atty. Dkt. No. 040301-0640

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Kenichi NAGAMI et al.  
Title: ROUTER DEVICE AND LABEL SWITCHED PATH CONTROL METHOD  
USING UPSTREAM INITIATED AGGREGATION  
Appl. No.: 10/720,263  
Filing Date: 11/25/2003  
Examiner: Unassigned  
Art Unit: 2664

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

### **TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

### **RELEVANCE OF EACH DOCUMENT**

In a counterpart Japanese application, a Japanese Office Action issued on October 19, 2004. According to an English translation of the Japanese Office Action obtained by Applicants' representative, the Japanese Patent Office made certain characterizations of the references.

According to an English translation of the Japanese Office Action, document B1 discloses that, when setting up a label switching path, ingress-LSR and egress-LSR are determined first, a path to said egress-LSR is set up, and the address which passes via said egress-LSR and the label of the label switching path which is set up, are stored in memory in correspondence (refer to "3 Proposed method", Figures 2 and 3 of reference 1, etc.).

According to the translation, document B2 discloses that one label switching path is set up with respect to one egress router for entries which share a route from an ingress router to that egress router.

As noted, the characterizations of the Japanese Patent Office noted above are based on an English translation obtained by Applicant's representative. The disclosure of these characterizations should not be construed as an admission of or agreement with the opinions expressed in the Japanese Office Action.

English translations of the foreign-language documents are not readily available. However, an English language summary is provided for document B2 are provided herewith. Consequently, the foreign language documents have been submitted in compliance with the PTO requirements and, therefore, the documents should be considered by the Examiner (37 CFR §1.97, §1.98 and MPEP §609).

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

DEC 29 2004

Date \_\_\_\_\_

By 

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Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> Date Submitted: <b>DEC 29 2004</b> (use as many sheets as necessary)		<b>Complete if Known</b>	
Application Number		10/720,263	
Filing Date		11/21/2003	
First Named Inventor		Kenichi NAGAMI	
Group Art Unit		2664	
Examiner Name		Unassigned	
Attorney Docket Number		040301-0640	

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	B1	NOBUHIRO SENBA et al., "Estimation of a Label Distribution Protocol for Label Switching", Information Processing Society of Japan Research Report, November 21, 1997, pages 25-30, vol. 97, no. 111.	
	B2	HIROSHI SUZUKI et al., "Multimedia Network Technology-4: ATM Internet Protocol", Computer Science Magazine "Bit", April 1998, pages summary, 71-81 and 96, vol. 30, no. 4.	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.